

**ENERGY AND TELECOMMUNICATIONS
INTERIM COMMITTEE**

2005 - 2006 Work Plan

Adopted _____, 2005

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ENERGY & TELECOMMUNICATIONS
INTERIM COMMITTEE
September 22, 2005
Exhibit 20

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quicker and more affordable alternative for adding future load to remote Montana locations; and is ideal for several of the emerging technologies currently being promoted and developed in Montana.

Energy Planning and Coordinating Entity

SJR 39 found that the cost and development of energy resources is critical to all Montanans; there is a large and uncoordinated complex of local, state, federal, non-profit and for-profit bodies all working on energy issues; there is no single Montana-based entity specifically dedicated to broad planning, analysis, and evaluation of energy issues; and without such an entity it is almost impossible to have a vision for developing the energy resources and meeting future energy needs of Montana

Other Oversight and Initiatives

ETIC's Statutory Duties

The ETIC draws its statutory responsibilities from three sources. The first is 5-5-215, which describes the general duties for *all* interim committees. As applied to the ETIC, this statute requires the committee to:

- **Conduct interim studies** as assigned. The committee may recommend to the Legislative Council that an interim study not be conducted or be assigned to another interim committee.
- **Review administrative rules** of the Department of Public Service Regulation (DPSR) and the Public Service Commission (PSC).
- **Review legislation proposed** by the DPSR or PSC. (Bills requested by an individual member of the Legislature are not subject to this requirement.)
- **Monitor the operation** of the DPSR and PSC with specific attention to the following:
 - identification of issues likely to require future legislative attention;
 - opportunities to improve existing law through the analysis of problems experienced with the application of the law by the agency; and
 - experiences of Montana's citizens with the operation of the agency that may be amenable to improvement through legislative action.
- **(Committee-driven:)** Prepare bills and resolutions that, *in the committee's opinion*, the welfare of the state may require for presentation to the next regular session of the Montana Legislature
- **(Committee-driven:)** Compile, analyze, and furnish information bearing upon the committee's assignment and relevant to existing or prospective legislation *that the committee determines* to be pertinent to the adequate completion of its work.

The second is 5-5-230, which, as amended by HB199 in 2005, states "The energy and telecommunications interim committee has administrative rule review, draft legislation review,

program evaluation, and monitoring functions for Department of Public Service Regulation and the Public Service Commission."

The third is 90-4-1003, which as amended by HB199 in 2005, requires the ETIC to "maintain a continual process to develop the components of a comprehensive state energy policy." HB199 transferred this function from the Environmental Quality Council to the ETIC. The statute says that due to "limited state resources and the need to focus intensive effort on specific issues of importance, the development of a comprehensive state energy policy must occur on an incremental basis." *It therefore directs the Department of Environmental Quality (DEQ), "as the need arises, [...to] identify and recommend to the committee specific components of a state energy policy for development."* If and when the DEQ identifies such issues, the ETIC is then required to create a "working group" which the DEQ assists in terms of staffing and administration.

Utilities' Statutory Responsibility to the ETIC

Pursuant to 69-8-402, public utilities and cooperative utilities are required to submit an annual summary report of universal system benefits programs to the ETIC.

**WORK PLAN MATRIX:
WORK OPTIONS AND RESOURCE AVAILABILITY**

**HIGHLIGHTED PORTIONS ARE THE WORK ELEMENTS
CHOSEN BY THE COMMITTEE**

	Cadillac DeVille	Station Wagon	Keep in Garage	Staff Hours (.86 FTE)
Assigned				
SJR 36 Distributed Energy	<p>0.35 - 0.45 FTE</p> <p>✓ Identify the potential benefits that distributed generation offers energy development in Montana</p> <p>✓ Identify any technical, market, regulatory, or other barriers to developing distributed generation that might exist</p> <p>✓ Host two panels for a range of energy stakeholders in Montana to comment on these potential benefits and challenges</p> <p>✓ Prepare profiles of distributed energy as it might exist in other states with comparable demographic and energy profiles</p> <p>✓ Prepare a Full Interim Report on the potential benefits of and barriers to the development of distributed generation; policy recommendations about any such technical, market, or regulatory barriers identified; and summary of any input and action by the committee.</p>	<p>0.25 FTE</p> <p>✓ Identify the potential benefits that distributed generation offers energy development in Montana</p> <p>✓ Identify any technical, market, regulatory, or other barriers to developing distributed generation that might exist</p> <p>✓ The analysis of benefits and barriers is to include section forecasting impact on rate payers of expanding distributed energy generation</p> <p>✓ Prepare a White Paper on the potential benefits of and barriers to the development of distributed generation</p>	No action	

**HIGHLIGHTED PORTIONS ARE THE WORK ELEMENTS
CHOSEN BY THE COMMITTEE**

<p>SJR 39 Energy Entity</p>	<p style="text-align: center;">0.35 - 0.45 FTE</p> <ul style="list-style-type: none"> ✓ Identify and profile the various Montana stakeholders involved with energy issues. Prepare an Inventory/ Matrix of these energy-related entities by function ✓ Identify other select states with energy planning and coordinating bodies then summarize the mandates and mechanisms of those models. ✓ Gather stakeholder opinion as to whether or not the current array of energy-related groups is optimally arranged to develop energy in the broad best interests of the people of Montana. Also solicit opinion as to whether the addition of a singular planning and coordinating entity might help in this regard. ✓ Host two public forums to gather such opinion ✓ Assess ETIC member opinion on the same questions. ✓ Prepare a Full Interim Report on the perceived advantages and disadvantages of a planning and coordinating entity for Montana energy policy, and how such an entity might best be structured. 	<p style="text-align: center;">0. 25 FTE</p> <ul style="list-style-type: none"> ✓ Identify and profile the various Montana stakeholders involved with energy issues. ✓ Gather stakeholder opinion as to whether or not the current array of energy-related groups is optimally arranged to develop energy in the broad best interests of the people of Montana. Also solicit opinion as to whether the addition of a singular planning and coordinating entity might help in this regard. ✓ Assess ETIC member opinion on the same questions. ✓ Prepare a White Paper on the perceived advantages and disadvantages of a planning and coordinating entity for Montana energy policy, and how such an entity might best be structured. 	<p>No action</p>	
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Statutory				
Review Admin Rules	<p>0.03 FTE</p> <p>✓ Staff provides committee copies of notices for the adoption of rules on all ETIC subjects. (Members to inform staff or Chair if they want more information.)</p> <p>✓ Committee requests that it be copied on notification letters that the DPSR and/or PSC is sending to legislators who were primary sponsors of laws that the agency is now promulgating rules for.</p> <p>✓ Committee attorney monitors and provides synopses of proposed rules on subjects committee needs to know about.</p>	<p>0.01 FTE</p> <p>✓ Staff provides committee copies of notices for the adoption of rules on certain ETIC subjects. (Members to inform staff or Chair if they want more information.)</p> <p>✓ Committee requests that it be copied on notification letters that the DPSR and/or PSC is sending to legislators who were primary sponsors of laws that the agency is now promulgating rules for.</p>		
Review Agency Legislation	<p>0.05 FTE</p> <p>✓ Committee reviews proposals from the DPSR and/or PSC and decides if staff should draft legislation for preintroduction</p>			
Monitor PSC activities	<p>0.05 FTE</p> <p>✓ Monitor, or investigate aspects of the _____ program(s)</p>	<p>0.02 FTE</p> <p>✓ Monitor, or investigate aspects of, a program if and when the committee so chooses</p>		
Review Utility USBP Reports	<p>0.02 FTE</p> <p>✓ Committee reviews utility reports and decides if any comments on compliance are needed and if staff should assist</p>			

Member / Committee Driven			
HJR 45 E-911	0.03 FTE √ Staff requests the Department of Administration to share information with the committee via staff who will provide updates.		
HB 539 Telecom Law	0.03 FTE √ Interested parties to get together and work out their respective positions with the possible intent of working with the committee to formulate legislation for the next session.		
Mercury	0.03 FTE √ Sen. Lind and Rep. Olson to identify two experts each who can speak to the coal / mercury issue. Staff to line up their attendance for a panel discussion (tentatively in January).		

2005-2006 ETIC Meeting Calendar
(Tentative)

1st Monday and Tuesday, June 20 - 21, 2005 (Roundup)

2nd Thursday, September 22, 2005 (Helena)

3rd Thursday, November 17, 2006 (Helena)

4th _____, December __, 2006 (During Special Session) (Helena)

5th Thursday and Friday, March 23-24, 2006 (Helena)

6th Thursday, May 4, 2006 (Helena)

7th Thursday, September 7, 2006 (Helena)

- Final decision by committee on content of reports and proposed legislation, if any.
- Selection of bill sponsors.
- Review proposals and decide whether or not to request that staff draft DPSR and/or PSC legislation for preintroduction.

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